UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS 27 P 3 45

ROBERT M. GERBER, AS TRUSTEE OF THE ROSALIE GERBER TRUST, WILLIAM J. GILLIGAN AND JAYNE GILLIGAN, HUSBAND AND WIFE, SANFORD R. HOFFMAN AND BETH L. HOFFMAN, HUSBAND AND WIFE Plaintiff

V.

ROBERT S. BOWDITCH, JR., GERALD SLAVET, STEVEN RIOFF, AND BSR **ASSOCIATES**

'lonner

Defendant

CIVIL ACTION NO. 05-10782 DPW

PLAINTIFFS' JURY DEMAND

Pursuant to Fed. R. Civ. P. 38, the plaintiffs demand a trial by jury.

THE PLAINTIFFS

By their attorneys,

John J. O'Connor **BBO** # 555251

Peabody & Arnold LLP

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Boston, MA 02110

(617) 951-2077

Dated April 21, 2005.

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Bernstein, Shur, Sawyer & Nelson

100 Middle Street

P. O. Box 9729

Portland, Maine 04104-5029

CERTIFICATE OF SERVICE

I hereby certify that on this date I served a copy of the attached Plaintiffs' Jury Demand by first class mail on the following:

Robert S. Bowditch 99 High Street Brookline, MA 02146

Steven Rioff 25 Oakland Street Lexington, MA 02420

Dated: April 27, 2005.

613411 10644-90291 Gerald Slavet 15 Winthrop Road Wellesley, MA 02482

BSR Associates 220 Forbes Road Braintree, MA 02184

John J. O'Connor